

# The BROAD AX

HEW TO THE LINE; LET THE CHIPS FALL WHERE THEY MAY

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## The Hon. Thomas Wallace Swann Admitted on the Witness Stand, Under Oath in Open Court, that Three Indictments Were Hanging Over His Head in the Criminal Court of Cook County at the Time He Was Chosen Secretary of the Illinois State Commission by the Hon. Edward F. Dunne

AT THE SAME TIME PRACTICALLY ADMITTING THAT HE HAD DONE CONSIDERABLE TRAMPING AROUND FROM PLACE TO PLACE THROUGHOUT THE EASTERN SECTION OF THIS COUNTRY; THAT HE DOES NOT NOR NEVER HAS PAID ONE DOLLAR WORTH OF TAXES WITHIN THE STATE OF ILLINOIS.

THE SAINTED BISHOP SAMUEL FALLOWS WHO IS FAR MORE OF A POLITICIAN THAN HE IS A TRUE SERVANT OF HIS LORD AND MASTER WHO AT ONE TIME WAS ENGAGED IN SOME KIND OF SALOON BUSINESS ON WASHINGTON STREET SWORE ON THE WITNESS STAND THAT ABOUT MAY 1, 1915, HE RECEIVED A COPY OF THE BROAD AX AT HIS HOME ON WEST MONROE STREET WHICH HE CONSIDERED CONTAINED A LIBELOUS ARTICLE ON THE HON. THOMAS WALLACE SWANN.

STATE SENATOR JOHN DAILEY TRAVELED ALL THE WAY FROM PEORIA, ILLINOIS, PRESUMABLY AT THE EXPENSE OF ALL THE TAXPAYERS OF THIS STATE FOR HE IS ONE OF THE STATE COMMISSIONERS TO STATE ON THE WITNESS STAND THAT HE TOO RECEIVED A FREE COPY OF THE BROAD AX AT HIS HOME IN THAT CITY OF CORN AND WHISKEY ABOUT MAY 1, 1915, THAT HE WAS OF THE IMPRESSION THAT THE ARTICLE IN QUESTION REFERRED TO THE HON. THOMAS WALLACE SWANN.

JUST BEFORE SENATOR DAILEY LEFT THE WITNESS STAND HE INDULGED IN ONE OF HIS FAMOUS TRICKY POLITICAL SMILES EXTENDING HIS CUNNING HAND TO JUDGE MORAN.

AT THE AFTERNOON SESSION OF THE COURT THE HON. DAVID M. BROTHERS, ONE OF THE NEWLY ELECTED JUDGES OF THE CIRCUIT COURT OF THIS COUNTY DELIBERATELY WALKED RIGHT UPON THE BENCH AND SAT DOWN BY THE SIDE OF JUDGE MORAN AND EVERY ONE IN A WHILE JUDGE BROTHERS WOULD WHISPER IN HIS JUDICIAL EAR. BUT COME TO THINK OF IT THEY MIGHT HAVE BEEN THINKING AND TALKING ABOUT THE LORD AND HIS HOST OF BRIGHT SHINING ANGELS DESCENDING TO THIS EARTH FOR THE SPECIAL PURPOSE OF SAVING MANKIND FROM SIN AND ITS MANY VICES.

MRS. DAN M. JACKSON WAS THE FIRST WITNESS TO TAKE THE WITNESS STAND RIGHT AFTER DINNER IN BEHALF OF JULIUS F. TAYLOR AND IN A FIRM VOICE SHE STATED THAT SHE DID NOT VISIT THE OFFICE OF HON. OSCAR DE PRIEST ON THE FIRST OR SECOND DAY OF JUNE, 1913, NOR AT ANY OTHER TIME TO TRANSACT ANY BUSINESS WITH HIM—THAT SHE HAD NEVER SPOKEN TO HIM IN ALL HER LIFE TIME—THAT MR. DE PRIEST STATED THAT WHICH WAS NOT TRUE WHEN HE SO TESTIFIED BEFORE JUDGE CHARLES M. FOELL THE FIRST PART OF THE PRESENT YEAR.

THE ASSISTANT STATES ATTORNEY WHATEVER HIS NAME MIGHT BE WAS UTTERLY UNABLE TO SHAKE OR JOLT HER TESTIMONY IN THE SLIGHTEST DEGREE IN THAT RESPECT.

JUST AS LONG AS THE WRITER OF THESE LINES LIVES HE WILL ALWAYS FEEL EXCEEDINGLY GRATEFUL TO MRS. JACKSON FOR HAVING THE COURAGE TO STAND UP FOR RIGHT AND JUSTICE IN A COURT OF RECORD.

MR. DAN M. JACKSON WAS THE SECOND WITNESS FOR THE DEFENDANT AND HE SWORE THAT ON MONDAY EVENING JUNE 2, 1913, AT THE VERY TIME THAT MRS. JACKSON WAS SUPPOSED TO BE AT THE OFFICE OF OSCAR DE PRIEST THAT HE WAS IN HER COMPANY AT THE HOME OF MR. AND MRS. DAVID MCGOWAN 4809 LANGLEY AVE.

THAT THOMAS WALLACE SWANN HAD INFORMED HIM IN THE PRESENCE OF PHIL GREEN JUST BEFORE HE WAS TO MOUNT THE WITNESS STAND TO TESTIFY BEFORE JUDGE FOELL TO THE EFFECT "THAT HE WOULD NOT SWEAR ON THE WITNESS STAND THAT HE SAW MRS. JACKSON ENTER AND LEAVE THE OFFICE OF OSCAR DE PRIEST AT ANY TIME BUT THAT HE DID SEE SOME WOMAN ENTER AND LEAVE IT; THAT HE WOULD NOT SWEAR TO A DAMN LIE FOR OSCAR DE PRIEST NOR NO ONE ELSE; THAT HE DID NOT WANT TO GET INTO TROUBLE.

PHIL GREEN WAS THE NEXT WITNESS AND HE BACKED UP THE STATEMENT MADE BY MR. JACKSON AND HE TOO HEARD THOMAS WALLACE SWANN STATE ON THE OUTSIDE OF JUDGE FOELL'S COURT ROOMS THAT HE WOULD NOT SWEAR THAT HE HAD EVER SEEN MRS. JACKSON ENTER THE OFFICE OF OSCAR DE PRIEST ON THE FIRST OR SECOND DAY OF JUNE, 1913, BETWEEN THE HOURS OF HALF PAST FIVE AND HALF PAST SIX IN THE EVENING; THAT HE WOULD NOT SWEAR TO A DOWN RIGHT LIE FOR OSCAR DE PRIEST AND RUN THE RISK OF WALKING INTO TROUBLE WITH HIS EYES WIDE OPEN.

IN WINDING UP THE CASE AT BAR JUDGE MORAN BEING UNABLE TO GRASP THE BROAD PRINCIPLES OF THE LAW CONCERNING FALSE TESTIMONY POUNDED AGAINST US TO THE EXTENT OF ONE HUNDRED DOLLARS AND COURT COSTS; ALTHOUGH OUR ATTORNEY WALTER M. FARMER WHO WAGED A STRONG, ELOQUENT, LOGICAL AND BRILLIANT LEGAL BATTLE JUSTIFIED ACCORDING TO THE PLEADINGS AND RULINGS OF THE COURT.

ON SATURDAY AUGUST 7, A MOTION WILL BE ARGUED FOR A NEW TRIAL AND NEW TRIAL OR NOT THE CASE WILL BE FOUGHT TO THE BITTER END AND THE APPELLATE COURT OF THIS COUNTY AND THE SUPREME COURT OF ILLINOIS BOTH WILL HAVE TO HAND DOWN OPINIONS OR DECISIONS ADVERSELY TO US BEFORE ANY ONE INTERESTED IN THE PRESENT CASE WILL BE ABLE TO JOLT ONE DOLLAR OUT OF OUR LONG HIP POCKET.

The first part of May this year reference was made in these columns to the legal fight between Mrs. Dan M. Jackson, Oscar De Priest and others in the Superior Court before Judge Charles M. Foell, concerning the legal ownership of a note for five thousand dollars and the visit of Mrs. Jackson to the office of Oscar De Priest either on June 1 or 2, 1913 for the sole purpose of selling or of talking about selling the note in question to him at that same time May 1, 1915, it was also mentioned in these columns that the Hon. Thomas Wallace Swann in order to help out his new found bosom friend Oscar De Priest shied far away from the absolute truth when he testified in the court proceedings before Judge Foell, shortly after publishing that statement with good motives, and justifiable ends and with no intent to injure the high financial standing of the Hon. Thomas Wallace Swann or to impeach his honesty, integrity, virtue, reputation, his good name and credit, he decided that it would be eminently proper and just to punish us some way or other in the municipal court for handling his high sounding name in such a careless manner.

So on May 19th the Hon. Thomas Wallace Swann started suit against us in the Municipal Court with that end in view including in the information filed against us the names of James Hale Porter, James T. Brewington, Jr. Archibald N. Fields and the Rev. Hon. Archibald James Carey, Ph. D. D. D. who was foolish enough to entertain the idea that he would be able to ride to his sweet revenge against us on the back of the Hon. Thomas Wallace Swann, but the gods in the high heavens decreed it otherwise in that respect for on Tuesday July 6, our chief counsel attorney Walter M. Farmer very ably argued a motion before Judge Harry Moran of Canton this state to quash the information which was then before the court and all that part wherein any reference had been made in relation to the Rev. Hon. Archibald James Carey, Ph. D. D. D. touching upon his famous and long to be remembered trip to Milwaukee, Wis. and all reference to his close friends Messrs. Fields, Porter and Brewington were stricken out of the information and when attorney Farmer finished his able argument to quash the information the so-called special assistant state's attorney whose name we are unable to call at the present time looked as small as ten cents does when anyone feels like spending one dollar with only ten cents to their name, for the unable special assistant state's attorney never hit the ground with any law in opposition to the propositions of the law as presented by Attorney Farmer, for almost two months the would be great assistant state's attorney, we don't think toted his three law books around under his arms in the various courts but seldom using them; when the Rev. Hon. Archibald James Carey, Ph. D. D. D. learned that he had no standing nor case against us in that court, that as Judge Moran had decided that there was nothing in the various articles which have appeared in these columns from time to time respecting the Political Pastor of the Institutional Church which could be construed as being libelous per se, that is libelous on its

face as he had never been charged with committing any crime by us through the columns of this paper the final conclusions of Judge Moran in that direction caused the Rev. Hon. Archibald James Carey, Ph. D. D. D. to wear a sad long face like unto a shouting A. M. E. preacher attending his own wake or funeral and he wended his way out of the court room much sadder and wiser then he was when he entered it feeling that he had the Lord and the special assistant state's attorney on his side.

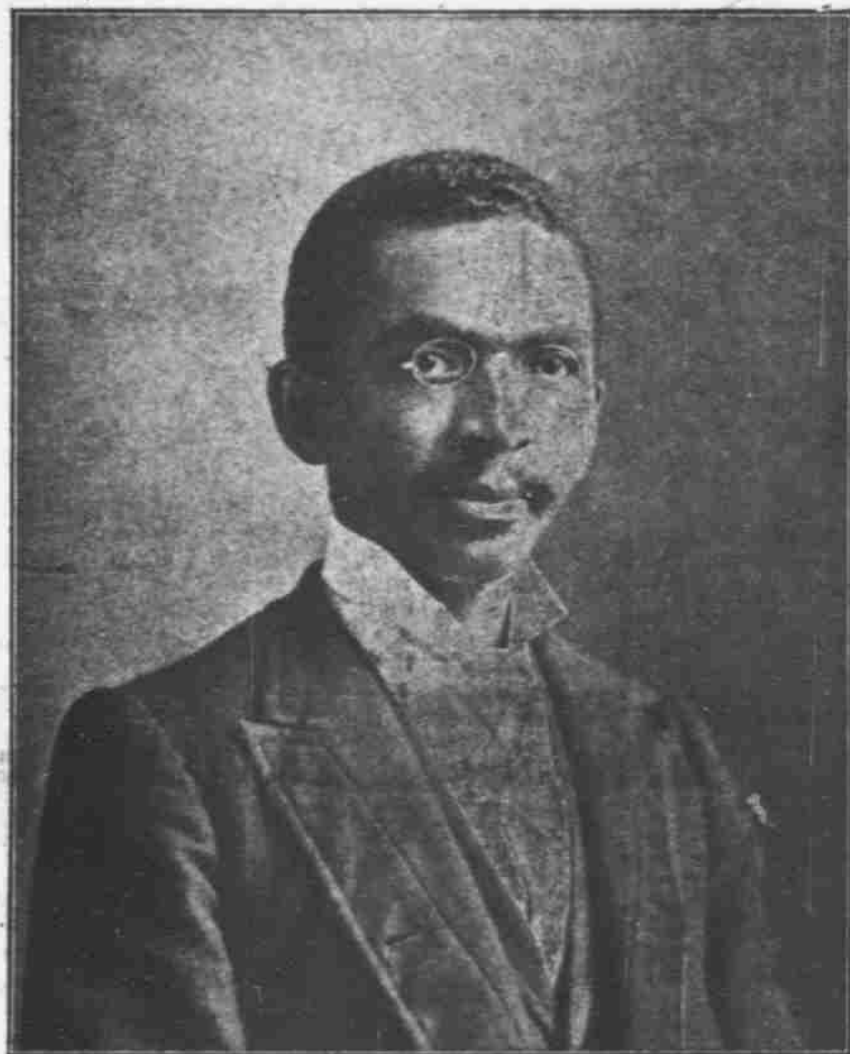
Judge Moran set the case down for trial Monday July 12 and the Hon. Thomas Wallace Swann was the star witness for himself and right on the start he practically admitted that he had done considerable tramping around from place to place throughout the eastern states; that he does not nor never has paid one dollar's worth of taxes within the state of Illinois; one of his first statements was that he bought a copy of The Broad Ax of May 1, from us at the corner of Clark and Washington Sts. that we had a large bundle of the papers under our arm, that later on he bought another copy of the paper of that same issue from us at 312 South Clark St. where some Mr. Light has his cheap or small law office and both of those statements on the part of the Hon. Thomas Wallace Swann are absolutely untrue and false, but will pass him for the present.

The sainted Bishop Samuel Fallows who is seemingly far more of a politician than he is a true servant of his Lord and Master who at one time conducted some kind of a saloon on Washington St. swore on the witness stand that about May 1, 1915, he received a copy of The Broad Ax at his home on West Monroe St. which he considered contained a libelous article on the Hon. Thomas Wallace Swann.

State Senator John Dailey traveled all the way from Peoria this state presumably at the expense of all the taxpayers of Illinois for he is one of the state commissioners, for the sole purpose of swearing on the witness stand that he too received a free copy of The Broad Ax at his home in that city of corn and whiskey about May 1, 1915, that he was under the impression that the article in question referred to his friend the Hon. Thomas Wallace Swann.

Just before senator Dailey left the witness stand he indulged in one of his famous tricky political smiles at the same time extending his cunning hand to Judge Moran and after holding a short law conversation with his Hon. he introduced Bishop Samuel Fallows to him and all three of them conversed in rather low tones for a short time no doubt about the Lord and His wonderful works.

Let us return once more to the Hon. Thomas Wallace Swann and his testimony; it is a well known fact that he entertains the idea that what he does not know is not worth knowing and the very first thing he did after being turned over to attorney Farmer for cross-examination was to fully admit in open court under oath namely, that he "had three indictments hanging over his head in the Criminal Court of Cook County at the very time he was chosen secretary of the Illinois state commission by the Hon. Edward



MR. WALTER M. FARMER.

One of the best and most up-to-date technical lawyers on the law of libel per se; that is libel on its face in the middle west, who very successfully and ably proved up on all the allegations which he was called upon to prove by Judge Moran.

F. Dunne"; that statement on his part uncontradicted will appear in the court record which will in time find its way into the Appellate Court.

He was confronted with the testimony which he gave in Judge Foell's Court and while on the witness stand in that court under oath he declared that he had beheld Mrs. Dan M. Jackson entering and leaving the office of Oscar De Priest at 3439 S. State St., on the evenings of June 1 or June 2, 1913, between half past five and six o'clock; that he was positive of that fact.

At the afternoon session of the court the Hon. David M. Brothers one of the newly elected Judges of the Circuit Court of this county deliberately walked right up on the bench and made himself known to Judge Moran sitting down by his side and every once in a while Judge Brothers would whisper in his judicial ear, but come to think of it they might have been talking and thinking about the Lord and his bright shining Angels descending to this earth for the special purpose of saving mankind from sin and its many vices.

Mrs. Dan M. Jackson, was the first witness to take the stand in behalf of Julius F. Taylor, and in a firm voice she testified that she had heard the testimony of Oscar De Priest given before Judge Foell, to the effect that she had called at his office, either on the evening of June 1, or June 2nd, 1913, for the purpose of transacting some business with him.

She unhesitatingly stated; that she had never spoken to him in all of her life time; that at no time had she ever entered his office; that his testimony in that respect; was utterly and absolutely untrue.

The Assistant State's Attorney, whatever his name might be, was unable to shake or jolt her testimony in the slightest degree in that respect.

Just as long as the writer of these lines lives, we will always feel exceedingly grateful to Mrs. Jackson, for

having the courage to stand up for right and justice in a Court of record and she is just as true as the finest and the bluest of steel and we have no truer friend in Chicago, than Mrs. Dan M. Jackson.

Mr. Dan M. Jackson, was the second witness for the defendant and after stating that June 1, 1913, was Sunday and that no same person would attempt to transact any important business on the evening of that day. He swore that on Monday evening June 2, 1913, at the very time that Mrs. Jackson was supposed to be at the office of Oscar De Priest, between the hours of half past five and six o'clock in the evening; that he was in company with her at the home of Mr. and Mrs. David McGowan, 4809 Langley Avenue and remained there until 9 o'clock that evening.

That Thomas Wallace Swann, had informed him, in the presence of Phil Green, just before he was to mount the witness stand to testify in Judge Foell's court to the effect; "that he would not swear on the witness stand; that he saw Mrs. Dan Jackson enter and leave the office of Oscar De Priest, at any time, but that he did see some women, enter and leave it; that he would not swear to a damn lie for Oscar De Priest or no one else; that he did not want to get into trouble."

Phil Green, was the next witness and he backed up the statement made by Mr. Jackson; that he had heard Thomas Wallace Swann state on the outside of Judge Foell's court room; that he would not swear; that he had ever seen Mrs. Jackson, enter the office of Oscar De Priest, on the second day of June, 1913, between the hours of half past five and six o'clock in the evening; that he would not swear to a downright lie for Oscar De Priest, and run the risk of walking into trouble with his eyes wide open.

So it should be perfectly plain to the dullest readers of this article that

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